

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

JAY NELSON, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

FOREST RIVER, INC., and DOES 1-25,
Defendants.

CV-22-49-BMM

ORDER

INTRODUCTION

Plaintiff Jay Nelson (“Nelson”) and Defendant Forest River, Inc. (“Forest River”) are in the early stages of the discovery process. The parties disagree on the following discovery issues: 1) the inspection of Nelson’s 2019 Puma 5th Wheel Recreational Vehicle (2019 RV) and Nelson’s tow vehicle; 2) the scope of discoverable electronically stored information (“ESI”) concerning the 12V wiring system; 3) whether Forest River is obligated to identify ESI documents as being responsive to specific requests for production; 4) whether Forest River is obligated to produce documents about the number of Palomino 5th Wheel RVs and travel trailers sold after Nelson purchased the 2019 RV; 5) whether Forest River is obligated to provide sales records and purchase information about the 5th Wheel

RVs and travel trailers sold by Forest River between 2002 and the present. *See* Maxon Davis, “Nelson vs. Forest River, No. CV 22-49-GF-BMM” (Email to Sara Luoma, August 30, 2023); Dennis Conor, “Nelson vs. Forest River, No. CV 22-49-GF-BMM” (Email to Sara Luoma, August 30, 2023).

ORDER

Accordingly, **IT IS ORDERED:**

1. The parties continue cooperating to facilitate an inspection of the 2019 RV and the tow vehicle. The Court will assume, absent contrary information from the parties, that the inspection will be completed by December 1, 2023.
2. Forest River must provide all electronically stored emails concerning the 12V wiring system covering all 39 brands of 5th Wheel RVs ranging from January 1, 2015, to the present.
3. Forest River must provide all electronically stored warranty data covering all 39 brands of 5th Wheel RVs from January 1, 2016, to the present.
4. Forest River must comply with Fed. R. Civ. P. 34(b)(2)(E)(ii) and produce ESI in the form in which it is ordinarily maintained.
5. Forest River must provide all sales information covering all 5th wheel RVs and travel trailers from January 1, 2015, to the present.

DATED this 8th day of September 2023

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court